

BILL NO. Z-71-04-//

ZONING MAP ORDINANCE NO. Z- W

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. AA-16 and A-16.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. AA-16 and A-16 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A part of Lot 8 in a Subdivision of a Part of Richardville Reserve on the West bank of the St. Marys River, in accordance with the plat thereof as made by Lewis Newberger as Commissioner for, and by order of Allen Circuit Court of Allen County, Indiana, and as recorded in Allen Circuit Court Order Book "T", page 263, and Deed Record 106, page 140; being situated in Township 30 North, Range 12 East, in Allen County, Indiana, and in particular described as follows, to-wit:

To arrive at the point of beginning, commence at the West corner of said Lot 8, being also the South corner of Lot 6 in said Subdivision; thence North 44 degrees 00 minutes East (assumed bearing) on the common line between Lot 6 and Lot 8, being also the centerline of the former Lower Huntington Road, a distance of 138.9 feet, to the Southeasterly 50 ft. right-of-way line of the Lower Huntington Road as relocated by Stellan Bridge Project U.S. 620(1) 1959; thence

North 66 degrees 10 minutes East on the line aforesaid, a distance of 332.7 feet; thence Southeasterly by a deflection right of 90 degrees, a distance of 420 feet to the West corner of the Subject Tract; thence continuing Southeasterly on the aforesaid line projected, a distance of 440 feet; thence Northeasterly by a deflection left of 90 degrees, a distance of 710 feet, more or less, to the low ater mark on the left bank of the St. Marys River; thence Westerly and Northwesterly along the said low water mark, a distance of 600 feet, more or less, to a point 440 feet normally distant Northwesterly of the previous course; thence Southwesterly, a distance of 320 feet, more or less, to the place of beginning; containing 4.7 acres of land, more or less;  
SUBJECT to an easement for roadway purposes upon and over 50 feet off the Southwest border thereof; TOGETHER with an easement for ingress and egress over an extension Northwesterly to the Lower Huntington Road of the aforementioned 50 foot easement.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

  
Councilman

  
APPROVED AS TO FORM  
AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by Tipton seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) ~~(and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., E.S.T.

Date: 4-13-71 Frank E. Bonachoon  
City Clerk

Read the third time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, placed on its passage.  
Passed (LOST) by the following vote:

AYES	NAYS	ABSTAINED	ABSENT	to-wit:
Adams	_____	_____	_____	_____
Dunifon	_____	_____	_____	_____
Fay	_____	_____	_____	_____
Geake	_____	_____	_____	_____
Nuckols	_____	_____	_____	_____
<del>Robinson</del>	_____	_____	_____	_____
Rousseau	_____	_____	_____	_____
Steigerwald	_____	_____	_____	_____
Tipton	_____	_____	_____	_____

Date 4-27-71 \_\_\_\_\_  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. 2- on the \_\_\_\_\_ day of \_\_\_\_\_, 19 71.

ATTEST: (SEAL)

\_\_\_\_\_  
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 71 at the hour of 8:30 o'clock 17 M., E.S.T.

\_\_\_\_\_  
City Clerk

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 13, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-71-04-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 17, 1971; and,

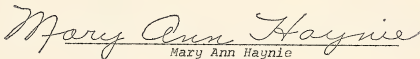
WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission by the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this  
27th day of December 1971.

  
Mary Ann Haynie  
Secretary

Bill No. Z-71-04-11

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. AA-16 and A-16,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance \_\_\_\_\_ PASS. *he withdrawn*

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

*Donald F. Schmidt.*

JOHN H. ROBINSON

*Herbert G. Tipton*  
*Jack K. Dunifon*  
*Thomas G. Adams*  
*Wm K. Geake*  
*D Schmidt*

DATE 12-28-71 FILED G. L. ...

## RECEIPT

No 59

GENERAL FUND

FT. WAYNE, IND.,

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

Feb. 18 1976

Dudley &amp; Agloria Johnston

Fifty Thousand and no/100

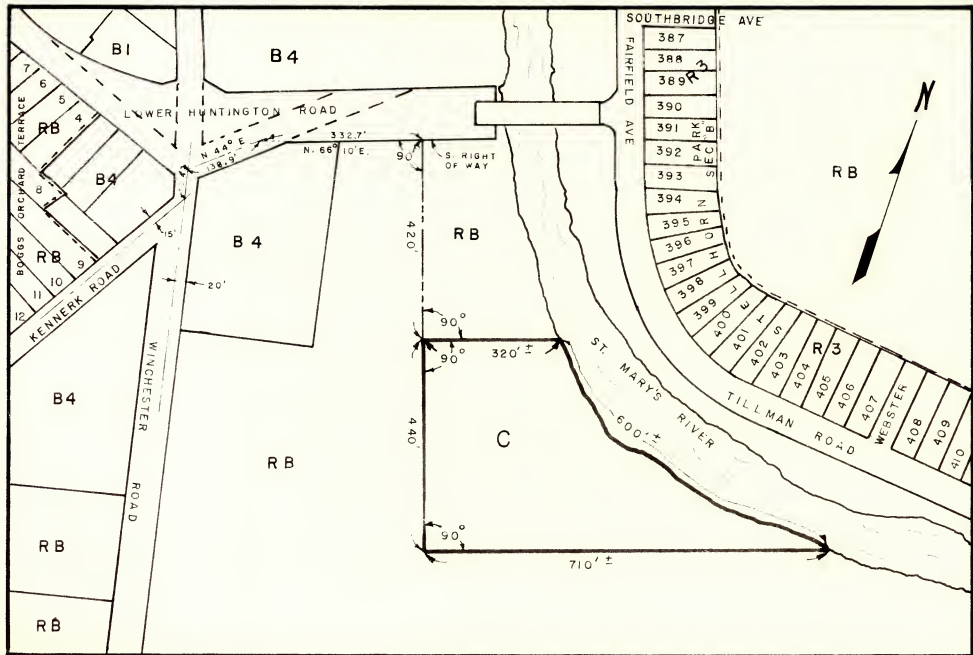
\$ 5000

DOLLARS

Pmts. to Remove a part of Lot 8,  
Richardsville Reserve.

K. Ostman

AUTHORIZED SIGNATURE



C CHANGE FROM RB TO A B3B

2-71-04-11

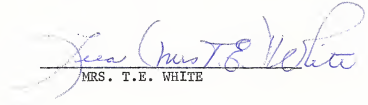
PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from an RB District to A ~~B3A~~ and B3B District, the real estate described as follows, to-wit:

A Part of Lot 8 in a Subdivision of a Part of Richardville Reserve on the West bank of the St. Marys River, in accordance with the plat thereof as made by Lewis Newberger as Commissioner for, and by order of Allen Circuit Court of Allen County, Indiana, and as recorded in Allen Circuit Court Order Book "T", page 263, and Deed Record 106, page 140; being situated in Township 30 North, Range 12 East, in Allen County, Indiana, and in particular described as follows to-wit: To arrive at the point of beginning, commence at the West corner of said Lot 8, being also the South corner of Lot 6 in said Subdivision; thence North 44 degrees 00 minutes East (assumed bearing) on the common line between Lot 6 and Lot 8, being also the centerline of the former Lower Huntington Road, a distance of 138.9 feet, to the South-easterly 50 ft. right-of-way line of the Lower Huntington Road as relocated by Stellhorn Bridge Project U.S. 620(1) 1959; thence North 66 degrees 10 minutes East on the line aforesaid, a distance of 332.7 feet; thence Southeasterly by a deflection right of 90 degrees, a distance of 420 feet to the West corner of the Subject Tract; thence continuing Southeasterly on the aforesaid line projected, a distance of 440 feet; thence North-easterly by a deflection left of 90 degrees, a distance of 710 feet, more or less, to the low water mark on the left bank of the St. Marys River; thence Westerly and Northwesterly along the said low water mark, a distance of 600 feet, more or less, to a point 440 feet normally distant Northwesterly of the previous course; thence Southwesterly, a distance of 320 feet, more or less, to the place of beginning; containing 4.7 acres of



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SUBJECT to an easement for roadway purposes upon  
and over 50 feet off the Southwest border thereof;  
TOGETHER with an easement for ingress and egress  
over an extension Northwesterly to the Lower  
Huntington Road of the aforementioned 50 foot  
easement.



MRS. T.E. WHITE

Please notify Robert W. Haller of Hogg, Christoff, Snouffer & Haller,  
2000 Fort Wayne Bank Building, Fort Wayne, Indiana 46802

HOGG, CHRISTOFF, SNOUFFER & HALLER  
ATTORNEYS AT LAW

2000 FORT WAYNE BANK BLDG.

FORT WAYNE, INDIANA 46802

DAVID HOGG  
JOSEPH CHRISTOFF  
RICHARD I. SNOUFFER  
ROBERT W. HALLER  
SHERRILL W. COLVIN  
ROGER W. HULTQUIST  
STEPHEN E. LEWIS

TELEPHONE  
219 - 462 8295

November 12, 1971

Mr. Gary Baeten  
Plan Commission  
City-County Building  
1 Main Street  
Fort Wayne, Indiana 46802

RE: Tennis court at  
Lower Huntington Road  
and Winchester Road

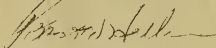
Dear Mr. Baeten:

In response to your inquiry this afternoon, it is my understanding that the tennis club project is no longer economically feasible, and that the developers do not contemplate completion of their intended development. I have not been contacted by any of the parties in interest for several months, and do not believe that the original parties in interest desire a completion of this particular rezoning.

Please call if there are any questions.

Very truly yours,

HOGG, CHRISTOFF, SNOUFFER & HALLER



Robert W. Haller

RWH/mfc